

By: Reynolds

H.B. No. 302

A BILL TO BE ENTITLED

AN ACT

relating to establishment of maximum allowable ground level concentrations of hydrogen sulfide by the Texas Commission on Environmental Quality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.0217 to read as follows:

Sec. 382.0217. MAXIMUM ALLOWABLE GROUND LEVEL CONCENTRATIONS OF HYDROGEN SULFIDE. (a) To protect public health, the commission shall:

(1) by rule establish maximum allowable ground level concentrations of hydrogen sulfide; and

(2) subject to Subsection (b), review the latest health studies regarding hydrogen sulfide emissions and reevaluate the maximum allowable concentrations at least once every five years.

(b) In establishing the maximum allowable concentrations, the commission:

(1) may establish different concentrations based on whether an area is used for residential, recreational, business, commercial, or agricultural purposes; and

(2) may not allow any person to cause or allow emissions of hydrogen sulfide from a source or sources operated on a property or multiple sources operated on contiguous properties to

1 exceed a net ground level concentration of:

2 (A) 0.04 parts per million averaged over any
3 30-minute period if the downwind concentration of hydrogen sulfide
4 affects a property used for residential, recreational, business, or
5 commercial purposes; or

6 (B) 0.06 parts per million averaged over any
7 30-minute period if the downwind concentration of hydrogen sulfide
8 affects only property used for purposes other than residential,
9 recreational, business, or commercial purposes.

10 (c) The commission by rule shall classify a violation of the
11 allowable ground level concentrations established by this section
12 as having major significance under Section 5.754, Water Code.

13 SECTION 2. Not later than December 1, 2026, the Texas
14 Commission on Environmental Quality shall adopt rules required by
15 Section 382.0217, Health and Safety Code, as added by this Act.

16 SECTION 3. This Act takes effect on the 91st day after the
17 last day of the legislative session.